7/15/2005 09:30 ND.420 P07

REMARKS

1. Status of claims

After entry of the above amendment, claims 1, 4-5, and 8 are pending and under consideration, claims 9-19 are withdrawn from consideration, and claims 2-3 and 6-7 have been canceled without prejudice.

2. Support for amendment

The above amendment incorporates the limitations previously recited by claims 3 and 7 into independent claims 1 and 5. No new matter has been added by this amendment.

3. Claim rejections under 35 U.S.C. §103(a)

The Examiner rejected claims 1-2 and 5-6 under 35 U.S.C. § 103(a) as being unpatentable over Darouiche et al., US 5,624,704 ("Darouiche") in view of Holley et al., US 6,585,767. The Examiner also rejected claims 1-2 and 5-6 under 35 U.S.C. § 103(a) as being unpatentable over Shu et al., US 5,948,019 in view of Darouiche. By the above amendment, claims 2 and 6 have been canceled and claims 1 and 5 have been amended to incorporate the limitations previously recited by claims 3 and 7. The Examiner indicated claims 3 and 7 recited patentable subject matter, as will be discussed below, and therefore Applicants request this rejection of claims 1 and 5 be withdrawn.

4. Allowable subject matter

The Examiner objected to claims 3-4 and 7-8 as being dependent on a rejected base claim but allowable if rewritten in independent form. By the above amendment, claims 1 and 5 have

been rewritten to incorporate all limitations of dependent claims 3 and 7 and Applicants submit the basis for this objection has been removed.

5. Conclusion

Applicants submit all pending claims under consideration are in condition for allowance. The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C. CUSTOMER NO. 23720

July 15, 2005

Raymund F. Eich, Ph.D.

Reg. No. 42,508

10333 Richmond, Suite 1100

Houston, Texas 77042

(713) 934-4065

(713) 934-7011 (fax)

AGENT FOR APPLICANTS

D08